

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:11-cv-01048-BAH**

CENTER FOR AUTO SAFETY v. U.S. DEPARTMENT OF  
TREASURY

Assigned to: Judge Beryl A. Howell  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/07/2011

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CENTER FOR AUTO SAFETY**

represented by **Jessica Almy**  
MEYER GLITZENSTEIN & CRYSTAL  
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**ATTORNEY TO BE NOTICED**

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V.

**Defendant**

**U.S. DEPARTMENT OF TREASURY**

represented by **Marina Utgoff Braswell**  
U.S. ATTORNEYS OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 06/07/2011 | <u>1</u> | COMPLAINT against U.S. DEPARTMENT OF TREASURY ( Filing fee \$ 350, receipt number 4616039443) filed by CENTER FOR AUTO SAFETY. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 06/08/2011)    |
| 06/07/2011 |          | SUMMONS (3) Issued as to U.S. DEPARTMENT OF TREASURY, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 06/08/2011)  |
| 06/07/2011 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR AUTO SAFETY identifying Corporate Parent NONE for CENTER FOR AUTO SAFETY. (rdj) (Entered: 06/08/2011) |
| 06/09/2011 | <u>3</u> | STANDING ORDER Signed by Judge Beryl A. Howell on 6/9/2011. (lcbah2) (Entered: 06/09/2011)   |

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| 06/13/2011 | <u>4</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF TREASURY served on 6/13/2011, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/13/11., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/7/2011. ( Answer due for ALL FEDERAL DEFENDANTS by 7/7/2011.) (Attachments: # <u>1</u> Exhibit)(Almy, Jessica) (Entered: 06/13/2011)  |
| 06/14/2011 | <u>5</u>  | NOTICE of Appearance by Marina Utgoff Braswell on behalf of U.S. DEPARTMENT OF TREASURY (Braswell, Marina) (Entered: 06/14/2011)  |
| 07/07/2011 | <u>6</u>  | ANSWER to <u>1</u> Complaint by U.S. DEPARTMENT OF TREASURY.(Braswell, Marina) (Entered: 07/07/2011)  |
| 10/11/2011 | <u>7</u>  | WITHDRAWN PURSUANT TO MINUTE ORDER FILED 12/19/2011.....MOTION for Summary Judgment by CENTER FOR AUTO SAFETY (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W, # <u>24</u> Exhibit X, # <u>25</u> Exhibit Y, # <u>26</u> Exhibit Z, # <u>27</u> Exhibit AA, # <u>28</u> Exhibit BB, # <u>29</u> Exhibit CC, # <u>30</u> Exhibit DD)(Almy, Jessica) Modified on 12/19/2011 (rdj). (Entered: 10/11/2011) |
| 10/25/2011 | <u>8</u>  | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION for Summary Judgment by U.S. DEPARTMENT OF TREASURY (Braswell, Marina) (Entered: 10/25/2011)  |
| 10/31/2011 |           | MINUTE ORDER (paperless) granting <u>8</u> Unopposed Motion for Extension of Time to File Response. The defendant shall file its response to plaintiff's motion for summary judgment by November 18, 2011. Signed by Judge Beryl A. Howell on 10/31/2011. (lcbah2) (Entered: 10/31/2011)  |
| 10/31/2011 |           | Set/Reset Deadlines: Response to Motion for Summary Judgment due by 11/18/2011. (alg) (Entered: 10/31/2011)   |
| 10/31/2011 | <u>9</u>  | NOTICE OF FILING by CENTER FOR AUTO SAFETY re <u>7</u> MOTION for Summary Judgment (Attachments: # <u>1</u> Exhibit EE)(Almy, Jessica) (Entered: 10/31/2011)  |
| 11/14/2011 | <u>10</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION for Summary Judgment by U.S. DEPARTMENT OF TREASURY (Braswell, Marina) (Entered: 11/14/2011)  |
| 11/15/2011 |           | MINUTE ORDER (paperless) granting <u>10</u> Defendant's Unopposed Motion for Further Extension of Time. The defendant shall respond to the plaintiff's motion for summary judgment by December 9, 2011. Signed by Judge Beryl A. Howell on November 15, 2011. (lcbah1) (Entered: 11/15/2011)  |
| 11/15/2011 |           | Set/Reset Deadlines: Response to Motion for Summary Judgment due by 12/9/2011. (alg) (Entered: 11/16/2011)  |
| 12/06/2011 | <u>11</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>7</u> MOTION for Summary Judgment by U.S. DEPARTMENT OF TREASURY (Braswell, Marina) (Entered: 12/06/2011)  |
| 12/07/2011 |           | MINUTE ORDER (paperless) granting <u>11</u> Unopposed Motion for Extension of Time to File Response/Reply. The defendant shall file its response to plaintiff's motion for summary judgment by December 16, 2011. Should the parties request the Court's assistance, the Court will facilitate the parties' settlement discussions, including by referral to a Magistrate Judge or other alternative dispute resolution mechanism. Signed by Judge Beryl A. Howell on 12/7/2011. (lcbah2) (Entered: 12/07/2011)   |
| 12/07/2011 |           | Set/Reset Deadlines: Response to Motion for Summary Judgment due by 12/16/2011. (alp) (Entered: 12/08/2011)   |

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| 12/16/2011 | <u>12</u> | STIPULATION ( <i>Voluntary Stipulation of Partial Settlement and Proposed Order for Further Proceedings</i> ) by U.S. DEPARTMENT OF TREASURY. (Braswell, Marina) (Entered: 12/16/2011)  |
| 12/19/2011 |           | MINUTE ORDER (paperless) Upon the parties' voluntary stipulation of partial settlement, ECF No. <u>12</u> , the plaintiff's pending motion for summary judgment, ECF No. <u>7</u> , is hereby withdrawn at the plaintiff's request. As detailed more fully in the stipulation, the defendant may have a total of twelve (12) months to process all records. In addition, as detailed in the stipulation, the defendant will produce a Vaughn index within six months of the date of the stipulation and a second Vaughn index at the conclusion of the processing of records. Within ten (10) days of the defendant producing its final Vaughn index, the parties will file with the Court a proposed schedule for further proceedings. Signed by Judge Beryl A. Howell on 12/19/2011. (lcbah2) (Entered: 12/19/2011) |
| 06/18/2012 | <u>13</u> | Unopposed MOTION for Extension of Time to <i>Submit to Plaintiff an interim Vaughn Index</i> by U.S. DEPARTMENT OF TREASURY (Braswell, Marina) (Entered: 06/18/2012)  |
| 06/19/2012 |           | MINUTE ORDER (paperless) granting <u>13</u> Defendant's Unopposed Motion for Extension of Time. The Defendant must file its interim Vaughn index by July 6, 2012. Signed by Judge Beryl A. Howell on 06/19/2012. (lcbah2) (Entered: 06/19/2012)   |
| 06/19/2012 |           | Set/Reset Deadlines: Interim Vaughn Index due by 7/6/2012. (alp) (Entered: 06/19/2012)  |
| 07/06/2012 | <u>14</u> | NOTICE of Filing of Vaughn Declaration, Index and Exhibits by U.S. DEPARTMENT OF TREASURY (Attachments: # <u>1</u> Vaughn (Interim) Declaration and Exhibits B-0, # <u>2</u> Vaughn Index, Exhibit A)(Braswell, Marina) (Entered: 07/06/2012)   |
| 12/19/2012 | <u>15</u> | Consent MOTION for Extension of Time to <i>Complete FOIA Processing and Produce Final Vaughn Index</i> by U.S. DEPARTMENT OF TREASURY (Attachments: # <u>1</u> Declaration of Allan Blutstein)(Braswell, Marina) (Entered: 12/19/2012)  |
| 12/20/2012 |           | MINUTE ORDER (paperless) granting <u>15</u> Defendant's Unopposed Motion for Extension of Time. The defendant must complete processing records responsive to plaintiff's request and produce a final Vaughn index on or before January 31, 2013. Signed by Judge Beryl A. Howell on 12/20/12. (lcbah2) (Entered: 12/20/2012)  |
| 12/20/2012 |           | Set/Reset Deadlines: Vaughn Index due by 1/31/2013. (tg, ) (Entered: 12/21/2012)  |
| 01/30/2013 | <u>16</u> | MOTION for Extension of Time to <i>Complete FOIA Processing and Produce Final Vaughn Index</i> by U.S. DEPARTMENT OF TREASURY (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibits A-C)(Braswell, Marina) (Entered: 01/30/2013)  |
| 02/05/2013 | <u>17</u> | NOTICE to the Court by U.S. DEPARTMENT OF TREASURY re <u>16</u> MOTION for Extension of Time to <i>Complete FOIA Processing and Produce Final Vaughn Index</i> (Braswell, Marina) (Entered: 02/05/2013)   |
| 02/07/2013 | <u>18</u> | Memorandum in opposition to re <u>16</u> MOTION for Extension of Time to <i>Complete FOIA Processing and Produce Final Vaughn Index</i> filed by CENTER FOR AUTO SAFETY. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Almy, Jessica) (Entered: 02/07/2013)  |
| 02/13/2013 | <u>19</u> | REPLY to opposition to motion re <u>16</u> MOTION for Extension of Time to <i>Complete FOIA Processing and Produce Final Vaughn Index</i> filed by U.S. DEPARTMENT OF TREASURY. (Attachments: # <u>1</u> Blutstein Declaration, # <u>2</u> Exhibit A & B)(Braswell, Marina) (Entered: 02/13/2013)   |
| 02/14/2013 |           | MINUTE ORDER (paperless) Upon consideration of the <u>16</u> Defendant's Motion for Further Extension of Time, including the declaration and exhibits attached thereto, as well the reasons for opposition set forth in the <u>18</u> Plaintiff's Opposition to Motion for a Further Extension of Time, and the exhibits attached thereto, and the <u>19</u> Defendant's Reply to Plaintiff's Opposition to Defendant's Motion for  |

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|            |           | Further Extension of Time, the Court will grant the <u>16</u> Defendant's Motion for Further Extension of Time, finding that (1) there was good cause for the defendant's delay in filing the motion for an extension of time due, in part, to the defendant's efforts to consult with the plaintiff, including providing a draft declaration, prior to requesting the extension of time from the Court, and (2) the defendant has made diligent progress over the last year with rolling productions of responsive documents to the plaintiff, which given the nature of the responsive documents must be carefully reviewed to avoid the inadvertent or inappropriate disclosure of personal and proprietary information. The SCHEDULING ORDER in this case is thus hereby revised as follows: The defendant must complete processing records responsive to the plaintiff's request on or before March 14, 2013, and the defendant must produce a final Vaughn index on or before March 29, 2013. Signed by Judge Beryl A. Howell on 02/14/2013. (lcbah2) (Entered: 02/14/2013) |
| 02/14/2013 |           | Set/Reset Deadlines: Record processing due by 3/14/2013. Vaughn Index due by 3/29/2013, (tg, ) (Entered: 02/14/2013)  |
| 03/28/2013 | <u>20</u> | Unopposed MOTION for Extension of Time to File <i>Vaughn Index</i> by U.S. DEPARTMENT OF TREASURY (Attachments: # <u>1</u> Blutstein Ddeclaration, # <u>2</u> Exhibit A-E)(Braswell, Marina) (Entered: 03/28/2013)  |
| 04/01/2013 |           | MINUTE ORDER (paperless) granting <u>20</u> Defendant's Unopposed Motion for Further Extension of Time. The defendant shall produce a final Vaughn index by April 29, 2013. Signed by Judge Beryl A. Howell on 04/01/2013. (lcbah2) (Entered: 04/01/2013)   |
| 04/01/2013 |           | Set/Reset Deadlines: Final Vaughn Index due by 4/29/2013. (tg, ) (Entered: 04/01/2013)  |
| 04/29/2013 | <u>21</u> | NOTICE of Filing of final Vaughn Declaration and Index by U.S. DEPARTMENT OF TREASURY (Attachments: # <u>1</u> Barrows Declaration, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Braswell, Marina) (Entered: 04/29/2013)   |
| 05/08/2013 | <u>22</u> | Joint MOTION for Extension of Time to File by CENTER FOR AUTO SAFETY (Attachments: # <u>1</u> Text of Proposed Order)(Almy, Jessica) (Entered: 05/08/2013)  |
| 05/08/2013 |           | MINUTE ORDER (paperless) granting <u>22</u> Joint Motion for an Extension of Time. The parties shall confer and file, by May 17, 2013, a proposed schedule for further proceedings in this matter. Signed by Judge Beryl A. Howell on 05/08/2013. (lcbah2) (Entered: 05/08/2013)  |
| 05/08/2013 |           | Set/Reset Deadlines: Proposed schedule due by 5/17/2013. (tg, ) (Entered: 05/08/2013)   |
| 05/17/2013 | <u>23</u> | NOTICE OF PROPOSED SCHEDULE by CENTER FOR AUTO SAFETY re Set/Reset Deadlines (Attachments: # <u>1</u> Text of Proposed Order)(Almy, Jessica) (Entered: 05/17/2013)  |
| 05/17/2013 |           | MINUTE ORDER (paperless) Upon consideration of the <u>23</u> Proposed Schedule, the parties are directed to file a joint status report on or before August 31, 2013, including, if necessary, a proposed schedule for further proceedings in this matter. Signed by Judge Beryl A. Howell on 05/17/2013. (lcbah2) (Entered: 05/17/2013)   |
| 05/20/2013 |           | Set/Reset Deadlines: Joint Status Report due by 8/31/2013. (tg, ) (Entered: 05/20/2013)   |